
KINSHIP AND LIVING WITH REQUIREMENTS
FOR FAMILIES AND CHILDREN

10/01/03

MA-3350 KINSHIP AND LIVING WITH REQUIREMENTS FOR FAMILIES AND CHILDREN

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I. KINSHIP AND LIVING WITH POLICY RULE FOR CARETAKER RELATIVES

A. For a caretaker to receive Medicaid (M-AF) as the caretaker relative of a child, the child must live with the caretaker. A specific degree of relationship must exist between the child and the caretaker.

1. A caretaker relative is the natural or adoptive parent or stepparent or the specified relative who lives in the household with the child and provides supervision. Refer to [MA-3235](#), Caretaker Relative.
2. Three factors must be established before the caretaker relative can receive medical assistance as caretaker of a child. These three factors are:
 - a. Age - The child must be under age 19, and
 - b. Kinship - The child, under age 19, must be related to the caretaker relative as specified in B., and
 - c. Living With - The child, under age 19, and the caretaker relative are living together, unless temporarily absent.
3. Determine if the relative meets the degree of relationship based on one of the categories listed below. If the caretaker does not meet the degree of relationship defined, the caretaker is ineligible to receive as a caretaker relative of a child.

B. Kinship for the Caretaker Relative

1. A caretaker relative is:
 - a. A parent (natural mother, legal or alleged father, or adoptive parent(s) after issuance of the final order); or
 - b. One of the following:
 - (1) Any blood relative, or half blood relative, including brother, sister, aunt, uncle, first cousin, nephew, niece, and persons designated as grand, great, or great-great;

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- (2) Step-relatives limited to: stepfather, stepmother, stepbrother, stepsister;
 - (3) Any adoptive relative including brother, sister, aunt, uncle, first cousin, niece, nephew, and persons designated as grand, great, or great-great;
 - (4) Spouses of any person named in the above groups ((1), (2), (3)) even after the marriage is terminated by death or divorce;
- or

- c. Other alleged paternal relative as listed in I.B.1.b.

II. VERIFICATION OF KINSHIP FOR THE CARETAKER RELATIVE

A. Verification of kinship is needed only at application, unless the previous documentation appears to be incorrect.

B. Verify kinship of a child to a caretaker relative as defined in [I.B.](#)

1. Accept client's statement unless questionable.
2. If questionable, verify one of the following:
 - a. Birth certificate issued by a governmental body, or
 - b. Marriage records, or
 - c. Hospital records established at the time of birth (including a hospital-issued birth certificate), or
 - d. Social Security Administration records.
3. If a primary verification is not available, verify kinship by examining two of the following alternate verifications:
 - a. School records;
 - b. Bible records;
 - c. Hospital or physician's records, including health department or institution records;
 - d. Court records, including adoption records;
 - e. Immigration records;
 - f. Naturalization records;

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- g. Church records, such as baptismal certificate;
- h. Passport;
- i. Military records;
- j. U.S. census records;
- k. Signed statement from an individual having specific knowledge about the kinship of the a/r child to the specified relative. The statement must include:
 - (1) Name of the a/r child;
 - (2) Date of birth;
 - (3) Place of birth;
 - (4) Caretaker's relationship to the a/r child;
 - (5) Basis of the individual's knowledge.

C. Verify kinship of a child to an alleged father or other alleged paternal relative when questionable. If a child lives with an alleged paternal relative, you must verify both the child's relationship to the alleged father and the alleged father's relationship to the caretaker. Follow the verification procedures below.

- 1. To verify the child's relationship to the alleged father, examine one of the following primary verifications:
 - a. Court support records, or
 - b. County DSS support records (IV-D), or
 - c. Statement signed and dated by the father that acknowledges his paternity. Statement should include name of child and child's birthday.
 - d. If a primary verification is not available, verify relationship to the alleged father by examining two of the following alternate verifications:
 - (1) School records;
 - (2) Bible records;
 - (3) Hospital or physician's records, including health department or institution records;

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(II.C.1.d.)

- (4) Court records, including adoption records;
 - (5) Immigration records;
 - (6) Naturalization records;
 - (7) Church records, such as baptismal certificate;
 - (8) Passport;
 - (9) Military records;
 - (10) U.S. census records;
 - (11) Signed statement from an individual having specific knowledge about the kinship of the a/r child to the alleged father. The statement must include:
 - (a) Name of the a/r child;
 - (b) Date of birth;
 - (c) Place of birth;
 - (d) Alleged father's relationship to the a/r child;
 - (e) Basis of the individual's knowledge.
- 2. To verify the alleged father's relationship to the alleged paternal relative, examine one of the following primary verifications:
 - a. Birth certificates issued by governmental bodies, or
 - b. Hospital records established at the time of birth (including a hospital issued birth certificate), or
 - c. Marriage records, or
 - d. Social Security Administration records, or
 - e. If a primary verification is not available, verify the alleged father's relationship to the alleged paternal relative by examining two of the following alternate verifications:
 - (1) School records;
 - (2) Bible records;

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(II.C.2.e.)

- (3) Hospital or physician's records, including health department or institution records;
- (4) Court records, including adoption records;
- (5) Immigration records;
- (6) Naturalization records;
- (7) Church records, such as baptismal certificate;
- (8) Passport;
- (9) Military records;
- (10) U.S. census records;
- (11) Signed statement from an individual having specific knowledge about the kinship of the alleged father to the alleged paternal relative. The statement must include:
 - (a) Name of the a/r child;
 - (b) Date of birth;
 - (c) Place of birth;
 - (d) Alleged paternal relative's relationship to the a/r child;
 - (e) Basis of the individual's knowledge.

III. "LIVING WITH" FOR CARETAKER RELATIVE

A. To Establish "Living With":

- 1. To receive M-AF as a caretaker relative, the caretaker must live with the child under age 19 in a place of residence maintained as his own home.
- 2. A home exists as long as the relative is responsible for the care and control of the child, even if the child or the relative is temporarily absent from the family setting. Refer to [MA-3305](#), M-AF, M-IC, H-SF Budgeting, to evaluate a temporary absence from the home. A child or relative may be temporarily absent from the home when: (List is not all-inclusive.)
 - a. Attending school

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- b. Visiting out of the county or state.
- c. Receiving treatment in a hospital, skilled nursing or intermediate care facility when the care is expected to last 12 months or less. This includes a newborn that is remaining in the hospital if the mother intends to take the baby home when he is discharged.
- d. Residing in a maternity and/or residential boarding home for parent-preparation.
- e. Residing in a home for battered women.

B. Verification Procedures for Living With a Caretaker Relative

1. At each application and review, verify living with by one of the following primary verifications:
 - a. Accept a client's statement unless questionable.
 - b. If questionable, verify one of the following:
 - (1) A home visit when you see evidence of the child living in the home,
 - (2) Use of school records,
 - (3) Use of day care center records,
 - (4) Statement of a social worker employed by the county department of social services, when following a home visit, he is able to substantiate that the child is living in the home,
 - (5) A statement from a non-related collateral having personal knowledge of the child living with the caretaker relative. The statements must include,
 - (a) Name of the child a/r and caretaker,
 - (b) Address of the child a/r and caretaker,
 - (c) Child's relationship (kinship) to the caretaker, and
 - (d) Basis of the individual's knowledge of the child's living situation.
 - or,

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(III.B.)

2. Two of the following alternate verifications:
 - a. Medical records, including health department records,
 - b. Social Security or other benefit records,
 - c. Rental records,
 - d. Church records.
3. Joint Custody
 - a. When a child's parents live apart but have joint custody, determine which parent is the primary caretaker. This is the parent with whom the child spends the majority of his time or the parent who is primarily responsible for the child's day-to-day care (school, day care, medical care). Consider this parent the primary caretaker for budgeting purposes. Count the income of the primary caretaker as available to the child.
 - b. If the child spends equal time with both parents and you are unable to establish a primary caretaker, consider both parents financially responsible for the child. Count both parents' income as available to the child

In this situation neither parent can be included in the a.u. If one of the parents wishes to be included in the assistance unit, he or she must be the primary caretaker.
 - c. If the child spends equal time with both parents, but one parent pays child support for the child, consider the parent receiving the child support to be the primary caretaker. Count the income of the primary caretaker parent as available to the child.

IV. KINSHIP AND “LIVING WITH” FOR CHILDREN ONLY

Kinship to/ living with an adult caretaker is not an eligibility requirement for a child under age 21 to receive Medicaid. However, kinship/living with is important in establishing financial responsibility within the child's assistance unit/budget unit. Refer to [MA-3305](#), M-AF, M-IC, H-SF Budgeting.